

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION

MICHAEL COATES, BRANDON
RAYBION, DANIEL VENABLE,
Plaintiffs,

v.

TNT CRANE & RIGGING, INC.,
Defendant.

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MO:22-CV-00018-DC

JURY VERDICT FORM

Question No. 1

Has Plaintiff Michael Coates proved that Defendant TNT Crane & Rigging, Inc. failed to pay him the overtime pay required by law?

Answer "Yes" or "No."

yes

If your answer is "Yes," answer Questions No. 4 and 5. If your answer is "No," do not answer Question No. 5.

Question No. 2

Has Plaintiff Brandon Raybion proved that Defendant TNT Crane & Rigging, Inc. failed to pay him the overtime pay required by law?

Answer "Yes" or "No."

yes

If your answer is "Yes," answer Questions No. 4 and 8. If your answer is "No," do not answer Question No. 8.

Question No. 3

Has Plaintiff Daniel Venable proved that Defendant TNT Crane & Rigging, Inc. failed to pay him the overtime pay required by law?

Answer "Yes" or "No."

yes

If your answer is "Yes," answer Questions No. 4 and 12. If your answer is "No," do not answer Question No. 12.

If your answer to Questions 1, 2, and 3 is "No," then your deliberations are over, and your foreperson should sign the certificate at the end of these instructions and inform the court security officer you have reached a verdict.

Question No. 4

Have Plaintiffs proved that Defendant TNT Crane & Rigging, Inc. knew that its conduct was prohibited by the FLSA or showed reckless disregard for whether the FLSA prohibited its conduct?

Answer "Yes" or "No."

Yes

Question No. 5

Has Plaintiff Michael Coates proved that he is entitled to recover damages under the FLSA?

Answer "Yes" or "No."

Yes

If your answer is "Yes," answer the next two questions. If your answer is "No," do not answer the next two questions.

Question No. 6

What sum of money would fairly and reasonably compensate Plaintiff Michael Coates for the damages, if any, you have found Defendant TNT Crane & Rigging, Inc. caused Plaintiff Michael Coates? Answer in dollars and cents for the following items and no other:

- Overtime wages not paid that should have been paid to Plaintiff Michael Coates less any premium amounts paid by Defendant TNT Crane & Rigging, Inc. for work done on weekends and holidays even when Plaintiffs did not work overtime that occurred in the same workweek as the unpaid overtime.

If your answer was "Yes," to Jury Question No. 4 you should award damages for the period from February 13, 2017 to November 1, 2017. If your answer was "No," you should award damages for the period from April 15, 2017 to November 1, 2017.

\$ 9,630.28

Question No. 7

Of the amount of damages you found in the previous question for Michael Coates, what amount was only for his "travel away from home"? Answer in dollars and cents for the following items and no other:

\$ 0

Question No. 8

Has Plaintiff Brandon Raybion proved that he is entitled to recover damages under the FLSA?

Answer "Yes" or "No."

yes

If your answer is "Yes," answer the next two questions. If your answer is "No," do not answer the next two questions.

Question No. 9

What sum of money would fairly and reasonably compensate Plaintiff Brandon Raybion for the damages, if any, you have found Defendant TNT Crane & Rigging, Inc. caused Plaintiff Brandon Raybion? Answer in dollars and cents for the following items and no other:

- Overtime wages not paid that should have been paid to Plaintiff Brandon Raybion less any premium amounts paid by Defendant TNT Crane & Rigging, Inc. for work done on weekends and holidays even when Plaintiffs did not work overtime that occurred in the same workweek as the unpaid overtime.

If your answer was "Yes," to Jury Question No. 4, you should award damages for the period from February 6, 2017 to November 2019. If your answer was "No," you should award damages for the two-year period from March 27, 2017 to November 2019.

\$ 29,777.00

Question No. 10

Of the amount of damages you found in the previous question for Brandon Raybion, what amount was only for his "travel away from home"? Answer in dollars and cents for the following items and no other:

\$ 0

Question No. 11

Of the amount of damages you found for Brandon Raybion, what amount was only for workweeks in which he worked more than forty hours in New Mexico, excluding any damages for “travel away from home”? Answer in dollars and cents for the following items and no other:

\$ 0

Question No. 12

Has Plaintiff Daniel Venable proved that he is entitled to recover damages under the FLSA?

Answer “Yes” or “No.”

yes

If your answer is “Yes,” answer the next question. If your answer is “No,” do not answer the next question.

Question No. 13

What sum of money would fairly and reasonably compensate Plaintiff Daniel Venable for the damages, if any, you have found Defendant TNT Crane & Rigging, Inc. caused Plaintiff Daniel Venable? Answer in dollars and cents for the following items and no other:

- Overtime wages not paid that should have been paid to Plaintiff Daniel Venable less any premium amounts paid by Defendant TNT Crane & Rigging, Inc. for work done on weekends and holidays even when Plaintiffs did not work overtime that occurred in the same workweek as the unpaid overtime.

If your answer was “Yes,” to Jury Question No. 4, you should award damages for the period from May 2017 to July 1, 2018. If your answer was “No,” you should award damages for the two-year period from May 2017 to July 1, 2018.

\$ 23,452.04

CERTIFICATE

Our verdict is unanimous. All of us have agreed to each and every answer. The presiding juror has signed the certificate for all of us as set forth below.

Original Signed by
Presiding Juror

Signature of Presiding Juror

Original Contains Printed
Name of Presiding Juror

Printed Name of Presiding Juror

SIGNED February 8th, 2023.